IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 7867 of 2006(J)

PETITIONER:

M/S.MEMBERS COMBINE, H.P.C.DEALERS,
MANNUTHY,THRISSUR 680 651.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI

RESPONDENTS:

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1. HINDUSTAN PETROLEUM CORPORATION LTD.,
REPRESENTED BY ITS SENIOR REGIONAL MANAGER,
P.O.BOX NO,. 1601, ERNAKULAM NORTHP.O.
ERNAKULAM 682 018.

2. THE EXECUTIVE SALES OFFICER,
HINDUSTAN PETROLEUM CORPORATION LTD.,
TRICHUR SALES AREA, NEAR CHERUMUKKU TEMPLE,
CHEMBUKKAVU P.O. TRICHUR.

BY ADV. .
SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF CERTIFICATE ISSUED TO THE PETITIONER BY THE FIRST RESPONDENT DT. 9.12.2005.

EXT.P2 : TRUE COPY OF CERTIFICATE ISSUED TO THE PETITIONER BY THE FIRST RESPONDENT DT. 9.12.2005.

EXT.P3 : TRUE COPY OF NOTICE ALONG WITH TEST REPORT ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER DT. 19.12.2005.

EXT.P4 : TRUE COPY OF REPLY GIVEN BY THE PETITIONER TO EXT.P3 DT. 26.12.2005 TO THE FIRST RESPONDENT.

EXT.P5 : TRUE COPY OF LETTER DT. 4.1.2006 WITH ACKNOWLEDGEMENT OF THE 2ND RESPONDENT SENT BY THE PETITIONER BEFORE THE FIRST RESPONDENT.

EXT.P6 TRUE COPY OF NOITCE NO.CBRO/EVSP/RET DT. 3.3.06 ISSUED BY THE FIRST RESPONDENT TO THE PETITIONER.

EXT.P7 TRUE COPY OF REPLY GIVEN BY THE PETITIONER TO EXT.P6 BEFORE THE FIRST RESPONDENT DT. 4.3.2006.

EXT.P8 TRUE COPY OF ORDER NO.CRO/EVSET DT. 24.3.2006 ISSUED BY THE FIRST RESPONDENT.

EXT.P9 TRUE COPY OF APPEAL PETITION SUBMITTED BY THE PETITIONER BEFORE THE EXECUTIVE DIRECTOR OF THE FIRST RESPONDENT ON 20.7.2007.

RESPONDENTS' EXHIBITS :

EXT.R1A TRUE COPY OF THE JOINT INSPECTION REPORT DT. 20.1.2006.

TGS

KURIAN JOSEPH J.

Writ Petition (Civil) No.7867 of 2006

Dated 6th November, 2007.

J U D G M E N T

Petitioner approached this court aggrieved by Exts.P3, P6 and P8. There is no dispute that Ext.P8 is appealable. It is submitted that as per the guidelines dealing with the matter, only the dealer is competent to file an appeal. In the event of the dealer filing the appeal within one month from today, the same shall be treated to have been filed in time, and thereafter, the appellate authority shall dispose of the same with notice to the dealer, within another three months. Subject to the dealer filing the appeal within one month from today, the interim order dated 29.3.2006 will continue till the disposal of the appeal.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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